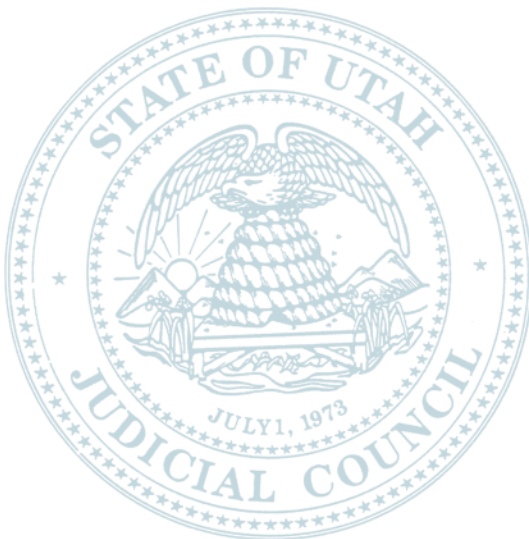




# Utah State Courts

2004 Annual Report To The Community



*Partnering for a Better Community*

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## UTAH COURTS MISSION STATEMENT

The mission of the Utah Courts is to provide an open, fair, efficient, and independent system for the advancement of justice under the law.



*The Logan Courthouse was dedicated in August 2003*



## INTRODUCTORY LETTER

On behalf of our dedicated judges and court staff, we are pleased to provide this year's Report to the Community on the important work taking place in courthouses across the state. We welcome this opportunity to provide this report and hope that the material that follows will encourage you to learn even more about your courts.

The economic difficulties of the past year were a considerable challenge for state government, the courts included. For the courts, staffing levels were reduced and programs and services had to be curtailed. Our judges, clerks, probation officers, and administrative staff were called on to do far more with fewer resources. We are very proud of the manner in which they responded, and we would like to express our appreciation for their commitment and dedication.

One of the ways we have responded to the challenges of the past year was to look for alternative and less costly ways of resolving disputes and providing needed services. We did this by exploring avenues of partnering with individual communities, agencies, schools, professional associations, and citizen volunteers. Many of the problems brought to our courts are far more involved than a single dispute requiring a resolution. Underlying problems such as substance abuse, mental health issues, domestic violence, and poor parenting are present in many cases. The courts cannot address these problems alone. This year's report highlights the many partnerships and programs that have been fostered to better serve those who find themselves before our courts.

We would also like to express appreciation to Governor Walker, former Governor Leavitt, and members of the legislature for their commitment to and support of our state's court system.



Honorable Christine M. Durham  
*Chief Justice*  
*Utah Supreme Court*



Daniel J. Becker  
*State Court Administrator*

## PARTNERING FOR A BETTER COMMUNITY

Partnering isn't typically a word that comes to mind when one thinks of the court system, but the courts partner daily with state and local agencies, community organizations, and individuals to create a better community. Whether it's working with the Utah State Bar to create a deeper understanding of the courts, collaborating with the Dept. of Public Safety to more effectively use technology, or recruiting volunteers for mediation, the courts are stronger because of these partnerships.

### PROVIDING ACCESS TO JUVENILE COURT HEARINGS

Juvenile Court hearings have traditionally been closed to the public. On Nov. 1, 2003, select Juvenile Courts began admitting the public to child abuse, neglect, and dependency hearings as part of a pilot program to test the impact of public access to Juvenile Court. Dependency cases involve children who have been neglected or abused and who are dependent. About 3,500 dependency referrals are received by Juvenile Court each year.

The pilot program is a result of House Bill 222, which was enacted during Utah's 2003 legislative session. The purpose of the legislation was to expand public access to Juvenile Court and to allow for public participation in child welfare proceedings. The bill phases in expanded access to abuse, neglect, and dependency hearings. The two court districts participating in the pilot program are Third District Juvenile Court (Salt Lake, Summit, and Tooele counties) and Sixth District Juvenile Court (Garfield, Kane, Piute, Sanpete, Sevier, and Wayne counties).

The impetus behind the pilot program is to provide a greater public understanding of the child protection system. Through the program, the public can observe the proceedings and see first hand how child welfare cases are handled. Family and friends are also now able to attend hearings to support family members.

A number of partners—including the Division of Child and Family Services, the Office of the Guardian ad Litem, the State Department of Human Services, and the Utah State Attorney General's Office—are working to ensure the success of the pilot program. In addition, the courts conducted an orientation for media outlets in Third and Sixth Districts to provide an overview of the pilot program and explain the changes in access to Juvenile Court.

The pilot program runs through July 1, 2005. As part of the pilot program, evaluation mechanisms are in place to identify individuals who attend the hearings and the impact on children involved. The Administrative Office of the Courts will report to legislators prior to the 2005 legislative session on the effects of the bill and recommend whether the provisions of the act should be permanently implemented.

### GIVING CHILDREN A VOICE IN COURT

Court-appointed special advocates—CASA—volunteers are every day citizens who care. They come from all walks of life to advocate for the best interests of abused and neglected children. CASA volunteers are trained, community members who are appointed by the court. These



volunteers are the eyes and ears of the Office of the Guardian ad Litem and ensure that a child's voice is heard in court.

CASA volunteers attend court hearings and assist the guardian ad litem attorney in advocating for what is in the best interest of the child. These volunteers also conduct independent investigations, monitor the child's situation, and make observations and recommendations to Juvenile Court.

In the past 12 months, 217 active CASA volunteers worked more than 11,500 hours to help 330 children. For more information on becoming a CASA volunteer, go to [www.utcourts.gov/specproj/casa.htm](http://www.utcourts.gov/specproj/casa.htm).

*"There's an intrinsic benefit to getting involved in the CASA program. Just knowing you've helped someone else and have the ability to impact a child's life. I've learned a lot about attitude through working with the kids. They face a lot of challenges, yet they're positive and handle things well. It's been a good example to me."*

Troy Smith, a senior at Brigham Young University  
and a CASA volunteer since 2001.

## CHANGING LIVES THROUGH DRUG COURT

Utah's first drug court was established in 1996 in Third District Court to combat the rising number of drug-related crimes in the Salt Lake valley. At the time, not only were arrests for drug-related crimes doubling, but judges were also seeing the same offenders in their courts over and over again. The traditional methods of dealing with drug addicts—such as probation or mandatory imprisonment—were not addressing the fundamental problems of addiction. Through the work of the courts and its partners,

drug courts are operating throughout the state and hundreds of participants have graduated from programs in District and Juvenile Courts.

The focus of drug court is eliminating an individual's drug addiction through frequent drug testing and court supervision. The voluntary program is for non-violent offenders only. Treatment includes individual and group therapy and may include life skills and anger management classes. Drug court participants enter a guilty plea, which is put on hold while the offender is enrolled in drug court. After successfully completing the program, the guilty plea may be withdrawn and the charges dismissed.

"Drug courts take a proactive role in rehabilitating offenders and not just punishing them," says Second District Judge Jon Memmott.

There are three types of drug courts: criminal, dependency, and juvenile. Criminal drug courts focus on adult offenders charged with a felony drug crime. Dependency drug courts deal with drug problems of parents charged with child abuse or neglect, while juvenile drug courts are geared towards first or second time juvenile offenders.

"Drug court changes lives for the better," says Seventh District Juvenile Court Judge Scott Johansen. "Seeing the successes makes it all worthwhile for a judge."

Throughout criminal drug court, defendants attend regular treatment sessions and make court appearances, as well as submit to random urinalysis. Criminal and juvenile drug courts take a minimum of 52 weeks to complete.

Drug courts' success is evident not only in reduced criminal activity and a lower recidivism rate, but in savings to taxpayers. The cost of drug



court treatment for one offender is about \$2,500, which is much less than the \$23,000 the Dept. of Corrections estimates it costs to incarcerate an individual in prison for one year.

The success of drug courts depends on the work of partnering agencies such as Adult Probation and Parole, behavioral health organizations, county governments, Dept. of Human Services, Dept. of Workforce Services, Division of Child and Family Services, Division of Substance Abuse, sheriff's offices, and vocational centers.

*"I was a 15-year heroin and cocaine addict. I lived on the streets and always thought that there was no end in sight. I thought I would for sure die an addict. It wasn't until I got into the drug court program that I started to see a new life, without drugs. I am now married with three kids and have a good job. I've been working for two years and am a manager. I have been clean now for over 1,000 days, and have no desire to go back to using. I want to thank drug court for giving me the chance and treatment towards a better life. Without them, I would not be where I am today."*

Drug Court Graduate

## MENTAL HEALTH COURT: PREVENTION VS. PUNISHMENT

About 600,000 to 700,000 individuals with severe mental illness are jailed every year in the nation, according to the Bazelon Center for Mental Health Law. Mentally ill offenders in the justice system typically have a difficult time following society's rules and end up in and out of jail. Through a program called Mental Health Court, the courts work with partnering agencies to help offenders become law-abiding citizens.

The emphasis of Mental Health Court is treatment and prevention, not punishment. "Mental Health Court is a better alternative to working with mentally ill offenders," says Third District Court Judge William Bohling. "It's a program that works with compassion and humanity."

Mental Health Court was established in the Third Judicial District in July 2001. The voluntary program combines the authority of the judicial system with the resources of the community to address the supervision, treatment, medication, and housing needs of the mentally ill offender. To participate, a mentally ill offender must be competent, have a stable residence, and be prepared to make at least a year-long commitment to a treatment plan that focuses on getting and staying well. Results to date have been encouraging. Graduates of Mental Health Court have fewer repeat offenses and spend fewer days in jail, which means a savings to taxpayers. But the courts can't do it alone.

"Collaboration is the key to the success of the program," says Judge Bohling. "I've seen nothing but cooperation among partnering agencies."

Partners in Third District Mental Health Court include Dept. of Corrections' Adult Probation and Parole, community housing programs, Salt Lake City Police Crisis Intervention Team, Salt Lake City Prosecutors, Salt Lake County Criminal Justice Services, the Salt Lake County District Attorney's Office, Salt Lake Legal Defenders Association, Utah Alliance for the Mentally Ill, and Valley Mental Health.

*"The regular contact between the court and the offenders sends a strong message to those individuals involved in Mental Health Court. Plus, the caring and concern shown on the part of the court is a powerful tool."*

Jim Whear, chief operating officer,  
Valley Mental Health





## PARTNERING THROUGH PUBLIC OUTREACH

The Utah Courts collaborate with the Utah State Bar and others on outreach projects to inform the public about the role of the judiciary. In 2003, the courts supported the bar association's statewide efforts to make the public aware of the 200th anniversary of Marbury v. Madison.

Marbury v. Madison is a landmark court case that established the principle of judicial review and expanded the powers of the U.S. Supreme Court. The bicentennial celebration came to life on Feb. 24, 2003 in courtrooms and schools throughout the state. More than 150 students from nearly 50 high schools met with 70 federal and state judges to celebrate the landmark constitutional decision.

The courts will be working with the Utah State Bar on 2004 Law Day to commemorate the fiftieth anniversary of Brown v. The Board of Education. This decision found racial segregation in public schools was unconstitutional under the 14th Amendment's equal protection clause. Activities planned include a program that integrates art and the law, an essay contest, and a mock trial competition.

The courts also work with the Utah State Bar to increase civic education in the schools via The Education for Justice Project. Through this project, the courts and the bar were instrumental in the State Board of Education's decision to include mandatory civic education in the core curriculum for students in seventh through twelfth grades. The project's partners continue to contribute expertise and volunteers to teach public school children what they need to know to be successful and responsible citizens.

For the past eight years, judges in the Fourth Judicial District have partnered with the Dept. of Corrections' Adult Probation and Parole and

the Utah County Attorney's Office in a panel presentation to seventh grade students in Utah County. Panel members present information on the legal aspects of drug use while offenders who are on probation for drug use give a first-hand report on their experience with the legal system. The offenders also talk about how drug use has impacted their lives. The group makes 85 presentations throughout the school year.

Another educational outreach effort supported in 2003 was Cornerstones of Democracy. This program involved nearly 85 students from Park City and Summit County schools and 10 trial and appellate judges. Students toured local courts, observed court proceedings, and met with judges to talk about the role of law in society.

## RESTORING VICTIMS' DIGNITY

Utah's Juvenile Courts are sensitive to the rights and needs of crime victims and offer services to victims through restitution programs. As part of the Utah State Juvenile Court Community Program, juveniles pay restitution directly to victims while working off their time through community programs.

While the focus of the program is on providing restitution to victims, communities benefit from the program in a variety of ways. In 2003, a community garden was planted and maintained by offenders who donated the vegetables to food banks. Offenders maintained a botanical garden in another community then donated the flowers to nursing homes and women's shelters. In addition, offenders work to set up and clean up at community events, pick up litter along freeways, paint over graffiti, and maintain cemeteries and parks. These are just a few examples in a long list of projects that benefit communities.



During the past 12 months, about 5,250 juveniles worked approximately 745,170 hours through Juvenile Courts' community service programs and paid more than \$1,135,000 in restitution to victims. The result is a win-win program that reduces recidivism and benefits the community.

Another restorative justice program—The Village Project—began in 1994 for at-risk youth in Third District Juvenile Court. Through the program, volunteer mentors are matched with school-age children living in the same community who are delinquent, dependent, neglected, or abused. These mentors make a difference in the child's life by spending time with the youth and being a positive role model.

The Village Project is an integral part of the Third District Juvenile Court's efforts to expose at-risk youth to positive alternatives in the community. Studies have shown that mentored youth earn higher grades in school and are 70 percent less likely to initiate drug use.

*"I really like working one-on-one with individuals because I feel like I'm having an impact and really making a difference. The benefits I get from the program far outweigh the effort."*

Billy Watts, a senior at the University of Utah and a mentor for The Village Project since 1999.

### ASSISTANCE FOR INDIVIDUALS WITHOUT AN ATTORNEY

All citizens have a right to represent themselves in court; however, acting as one's own attorney is a significant decision since these individual litigants are bound by the same rules as attorneys. The Utah Courts provide resources for individuals who have made the decision to represent themselves in court. These individuals are commonly referred to as self-represented or pro se litigants.

Information to help self-represented litigants learn about the court process and prepare their court documents is on the court's website at [www.utcourts.gov/howto](http://www.utcourts.gov/howto). Document preparation assistance is available for divorce cases, landlord-tenant disputes, and protective orders. Assistance in preparing petitions for guardianship of a minor will soon be available. In addition, forms for small claims cases and other pleadings are online.

Legal clinics to assist self-represented litigants are also available. In Third District Court, the Legal Aid Society of Salt Lake County holds clinics at the Matheson Courthouse. In addition, Waine Riches, a volunteer attorney, conducts a clinic two evenings a week to help self-represented litigants learn about Utah divorce and custody law. During the clinic at the Matheson Courthouse, Waine—along with students from the University of Utah College of Law—explains steps in the court process, reviews court documents, and answers questions.

Clinics like Waine's Clinic are available throughout the state for individuals who decide to represent themselves. To find out where the clinics take place, go to the court's website at [www.utcourts.gov/howto/pro\\_se](http://www.utcourts.gov/howto/pro_se).

## RESOLVING DISPUTES OUTSIDE OF THE COURTROOM

Television shows and movies portray court cases as almost always including a jury trial. In reality, juries hear very few court cases. In Utah's District Courts, 94 percent of trials—both criminal and civil—are decided by a judge alone through a process called a bench trial, while only 6 percent of trials—both criminal and civil—are decided by a jury trial.

Mediation resolves cases before they get to the courtroom. In mediation, disputing parties meet to resolve their differences through the use of a





neutral third party or mediator. The trained mediator acts as a facilitator to work with both parties and assist them in coming up with a workable solution. The mediation process can offer parties more satisfaction with the process and longer lasting results. Mediation is increasing in popularity. In the past 12 months, nearly 3,000 cases were mediated through Utah's court programs.

## WHY MEDIATE?

Utah Courts are committed to offering mediation early on and often in the legal process. The Utah Courts offer nine mediation programs for victims, offenders, and the community. Of these programs, four are offered as a free service to the public. The courts are able to offer these programs at no charge because of trained mediators who volunteer their time.

### APPELLATE COURT MEDIATION

By the time a case reaches the court's appellate level, both parties have invested considerable time, money, and emotional energy. These factors will only increase as a case goes through the appeals process.

An alternative to litigation is available through the Utah Court of Appeals Appellate Mediation Office. This office helps parties settle their disputes in a non-threatening, risk-free, and confidential environment. Mediation brings participants together in a neutral format where they can develop workable solutions. While participation in a mediation conference is mandatory, settlement is voluntary.

Mediation saves time, money, and emotional energy. Costs of an appeal can rise to more than \$30,000, while mediation typically costs about \$5,000, according to the Appellate Mediation Office. In addition, the

mediation process takes, on average, about two months, while the appeal process can take between two and three years. As one participant noted, "mediation is indispensable."

Comments from individuals who have participated in the appellate mediation process say it best: "I was pleased with the process and the ultimate result. Great program! It saved considerable time, effort, and expense." "I am highly enthusiastic about the results and the mediation process."

### DISTRICT COURT MEDIATION PROGRAMS

The Court-Annexed Alternative Dispute Resolution (ADR) program provides alternatives to traditional litigation. Arbitration is similar to a trial with the disputing parties selecting an arbitrator to decide their case. The arbitrator hears arguments, reviews evidence, rules on motions, and determines settlement terms. In the past 12 months, more than 2,500 cases were resolved using an alternative dispute resolution process.

Landlord-Tenant Mediation is offered through a partnership between the courts and the Community Action Program. The Salt Lake program provides mediation services for landlords and tenants involved in eviction proceedings. In the past 12 months, 117 mediation sessions were held with 93 percent resulting in a successful agreement.

Parent-Time Mediation provides a quick response to parents with visitation disputes without formal court intervention. In the past 12 months, 309 cases were mediated with 54 percent reaching full agreement and another 23 percent reaching partial agreement.

Probate Mediation handles all contested probate disputes in Third District Court that are not resolved through typical court channels.



The court refers all contested probate cases to mediation prior to the case being referred to a judge for trial. In the past 12 months, these cases experienced a 74 percent resolution rate.

Small Claims Mediation is offered through a partnership between the courts, Utah Dispute Resolution for Third District Court cases, and the Brigham Young University Law School for Fourth District Court cases. The program offers an alternative to solving problems through dialogue, while at the same time empowering individuals to solve their problems. In the past 12 months, more than 950 cases were mediated with a 62 percent resolution rate.

## JUVENILE COURT MEDIATION PROGRAMS

Child Welfare Mediation provides a quick response to the needs of children and families, while providing parties with an opportunity to create mutually satisfactory solutions. In the past 12 months, 615 mediation sessions took place with 88 percent resulting in movement toward a resolution in the case, and 69 percent being fully resolved.

Juvenile Court Victim-Offender Mediation offers victims an opportunity to meet with juvenile offenders to make them aware of the impact the crime had on the victim's life. Victims also help to determine restitution and avenues for the offender to help restore the community. In the past 12 months, nearly 300 cases were processed with a 98 percent successful resolution.

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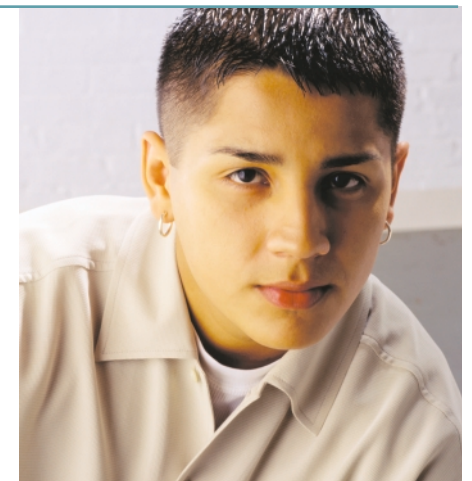
*Mediators volunteered about 2,240 hours in the past 12 months.*

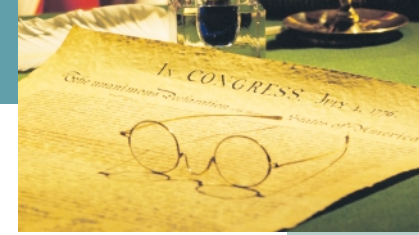
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Truancy Mediation provides an opportunity to find out what is happening in a child's life in school and at home that may be affecting school attendance. The result is a better understanding between the schools and the courts on how to assist the student. In the past 12 months, 75 percent of mediated truancy cases were diverted out of the court system.

*"Truancy mediation is a life raft that we throw kids. It's an opportunity for the family to take control of their lives and to turn the problem around before it lands in the courts. With mediation, kids can take ownership of their own problems and turn the situation around."*

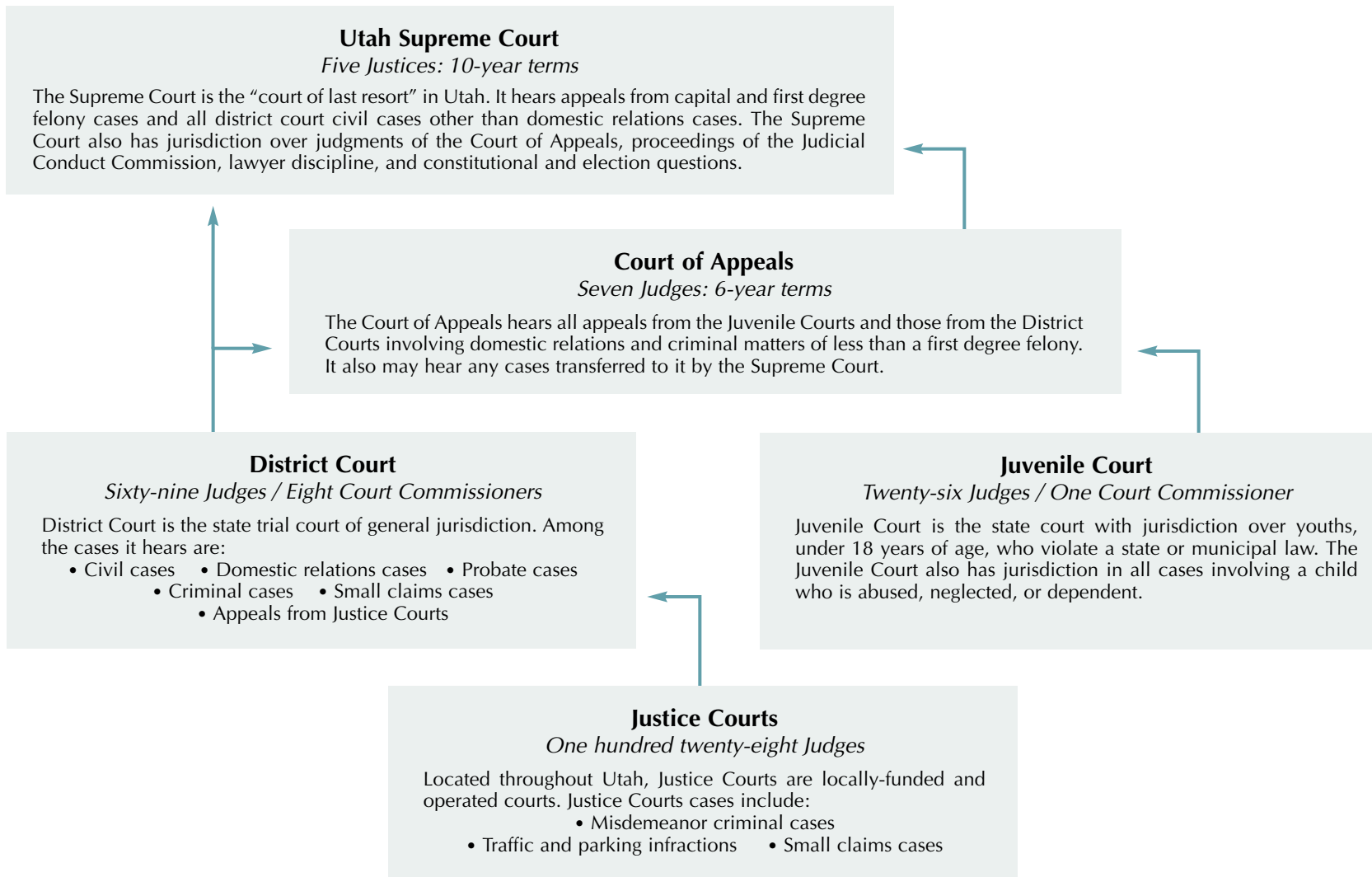
Kathy Anderson, assistant principal,  
Indian Hills Middle School, Jordan School District





# NAVIGATING THE COURT SYSTEM

## COURT ORGANIZATION



## COURT GOVERNANCE

### UTAH JUDICIAL COUNCIL

The Utah State Constitution establishes governance of the Judicial Branch and authorizes the Utah Judicial Council to oversee the third branch of government. Utah Supreme Court Chief Justice Christine M. Durham is the chief administrator of the judiciary and in this capacity chairs the Utah Judicial Council, which directs the activities of the Utah State Courts.

The Judicial Council is responsible for adopting uniform rules for the administration of all Utah Courts and setting standards for judicial performance, as well as court facilities, support services, and judicial and non-judicial staff levels. The Judicial Council holds monthly meetings, which are open to the public. For dates and locations of Judicial Council meetings, go to [www.utcourts.gov/knowcts/adm](http://www.utcourts.gov/knowcts/adm).

### UTAH JUDICIAL COUNCIL

Chief Justice Christine M. Durham, *Chair, Utah Supreme Court*

Judge James Z. Davis, *Vice Chair, Utah Court of Appeals*

Judge J. Mark Andrus, *Second District Juvenile Court*

Judge L.A. Dever, *Third District Court*

Associate Chief Justice Matthew B. Durrant, *Utah Supreme Court*

Judge Ronald Hare, *Fourth District Justice Court*

Judge Robert K. Hilder, *Third District Court*

Judge Jerald L. Jensen, *Second District Justice Court*

Judge Scott N. Johansen, *Seventh District Juvenile Court*

Judge Clair Poulson, *Eighth District Justice Court*

Judge K.L. McIff, *Sixth District Court*

Judge Jon Memmott, *Second District Court*

Judge Gary Stott, *Fourth District Court*

David R. Bird, Esq. *State Bar Representative*

Daniel J. Becker, *Secretariat*

Each court level has a board of judges that meets on a regular basis. Following is a list of members of these boards:

### BOARD OF APPELLATE COURT JUDGES

Chief Justice Christine M. Durham, *Utah Supreme Court*

Associate Chief Justice Matthew B. Durrant, *Utah Supreme Court*

Justice Michael J. Wilkins, *Utah Supreme Court*

Justice Jill N. Parrish, *Utah Supreme Court*

Justice Ronald E. Nehring, *Utah Supreme Court*

Judge Russell W. Bench, *Utah Court of Appeals*

Judge Judith M. Billings, *Presiding Judge, Utah Court of Appeals*

Judge James Z. Davis, *Utah Court of Appeals*

Judge Pamela T. Greenwood, *Utah Court of Appeals*

Judge Norman H. Jackson, *Utah Court of Appeals*

Judge Gregory K. Orme, *Utah Court of Appeals*

Judge William A. Thorne, Jr., *Utah Court of Appeals*

### BOARD OF DISTRICT COURT JUDGES

Judge William W. Barrett, *Chair, Third District Court*

Judge Michael G. Allphin, *Second District Court*

Judge Pamela G. Heffernan, *Second District Court*

Judge Fred Howard, *Fourth District Court*

Judge Howard Maetani, *Fourth District Court*

Judge Paul Maughan, *Third District Court*

Judge David L. Mower, *Sixth District Court*



Judge Lynn Payne, *Eighth District Court*  
 Judge Anthony B. Quinn, *Third District Court*  
 Judge Thomas Willmore, *First District Court*

## BOARD OF JUVENILE COURT JUDGES

Judge Paul Lyman, *Chair, Sixth District Juvenile Court*  
 Judge L. Kent Bachman, *Second District Juvenile Court*  
 Judge Kimberly Hornak, *Third District Juvenile Court*  
 Judge Larry E. Jones, *First District Juvenile Court*  
 Judge Mary Noonan, *Fourth District Juvenile Court*  
 Judge Sterling B. Sainsbury, *Fourth District Juvenile Court*  
 Judge Robert Yeates, *Third District Juvenile Court*

## BOARD OF JUSTICE COURT JUDGES

Judge John Sandberg, *Chair, Riverdale Justice Court*  
 Judge Ronald R. Hare, *Millard County Justice Court*  
 Judge Jerald L. Jensen, *Davis County Justice Court*  
 Judge Gary Johnson, *Kanab City Justice Court*  
 Judge Michael Kwan, *Taylorsville City Justice Court*  
 Judge David C. Marx, *Hyde Park Justice Court*  
 Judge Kevin Nelson, *Board Vice-Chair, Mantua Justice Court*  
 Judge Jody Petry, *Uintah County Justice Court*  
 Judge Clair Poulson, *Duchesne County Justice Court*  
 Judge Elayne Storrs, *Carbon County Justice Court*

## ADMINISTRATIVE OFFICE OF THE COURTS

The state court administrator is appointed by the Utah Supreme Court and Judicial Council and is responsible for performing duties as outlined by Utah statute, including overseeing operation of the Administrative Office of the Courts. Appellate, district, juvenile, and justice court administrators and local court executives assist State Court Administrator Daniel J. Becker in executing the statutory duties. The Administrative Office of the Courts personnel work in finance, general counsel, human resources, judicial branch education, planning, public information, security, and technology. Mediators, a director of the state's Office of the Guardian ad Litem, and a capital law clerk are also based out of the Administrative Office of the Courts. For more information on Utah's State Court System, go to [www.utcourts.gov/courts/](http://www.utcourts.gov/courts/).



*Utah Supreme Court Justices*





### TECHNOLOGY IN THE COURTS

Advances in technology are changing the way the Utah Courts do business. A major technology initiative underway in Utah Courts is a re-engineering of the Juvenile Justice Information System. Implementation of the first phase of the Court Agency Record Exchange (CARE) began in 2003. In the past 12 months, an assessment component was fully implemented and pilot testing of a minute's component undertaken. CARE is expected to be fully operational by October 2005. Twenty-two CARE specialists, who were selected by their districts, have assisted in testing and implementing CARE components. The specialists will train court clerks in their districts in the coming year.

One technology trend that has the potential to improve the court's efficiency and save money is e-filing or filing a case electronically. During the past 12 months, the courts have partnered on an experimental basis with private attorneys to create an e-filing system for debt collection cases. For example, debt collections accounted for about 13,000 cases in the Sandy courthouse alone in fiscal year 2002, which translates to more than 10,400 clerical work hours.

With e-filing in place, documents are handled less and data entry is no longer required, which improves productivity and record accuracy. Plus, files are stored electronically, which improves access to court information both within and outside of the courthouse.

### WWW.UTCOURTS.GOV

About 2,200 visitors go to the Utah Court's website daily. The website is a powerful tool for learning more about the court system. In addition to looking up appellate decisions, court calendars, and court records, information on court rules and terms, courthouse locations, jury service, volunteer opportunities, plus much more is available on the website at [www.utcourts.gov](http://www.utcourts.gov).

### COURT FACILITIES

#### LOGAN COURTHOUSE

After 18 months of construction, a new court complex opened in Logan in June 2003, replacing an outdated building that had been used by the courts for 20 years. The new facility houses both District and Juvenile Courts and utilizes four finished courtrooms. The building includes two unfinished courtrooms and two large areas that will allow for future expansion. The three-story complex allows more space for jurors and provides functional space for more than 100,000 records.

#### WEST JORDAN JUSTICE CENTER

In the Third Judicial District, the courts are building an up-to-date Justice Center in West Jordan to better serve the growing population in the south end of the Salt Lake valley. The courthouse will be a full-service operation that houses both District and Juvenile Courts. Mediation rooms will be located in the courthouse and are designed to minimize the formality of the courtroom setting. Offices for the





district attorney, guardian ad litem, and probation officers will also be provided.

The courtroom design allows for expansion both horizontally and vertically. The Justice Center will accommodate six District Court courtrooms—including two unfinished courtrooms—and six Juvenile Court courtrooms, one of which will be unfinished. Ground has been broken on the 113,000 sq. ft. Justice Center and the facility is scheduled for an April 2005 opening.

### TOOELE COURTHOUSE

Plans are underway to build a \$9.5 million judicial facility adjacent to the existing courthouse in Tooele. The county will contribute \$2.4 million to construction of the 49,000 square-foot facility, which will include district, juvenile, and justice courts. The increased demand for court services in Tooele—one of the fastest growing counties in Utah—has necessitated the need for the new facility. If funding is approved during the 2003 legislative session, construction on the judicial facility will begin in fall 2004.

## JUSTICE COURTS: UTAH'S COMMUNITY COURTS

Utah's Justice Courts are established by counties and municipalities and have authority to rule on Class B and C misdemeanors, ordinance violations, small claims, and infractions within their jurisdiction. Justice Court jurisdictions are determined by city and county boundaries.

Justice Courts handle nearly two-thirds of the court cases in Utah. In the 2003, Utah Justice Courts heard more than 539,000 cases. The majority of the cases were traffic matters, followed by other misdemeanors and small claims.

There are 136 county and municipal Justice Courts in the state and 128 Justice Court judges, some of whom serve in more than one court. Justice Court judges receive extensive, ongoing legal training. All Justice Court judges are required to attend 30 hours of continuing judicial education annually to remain certified.

There are two types of Justice Court judges: county judges, who are initially appointed by a county commission and stand for retention election every four years, and municipal judges, who are appointed by city officials for a four-year term. Some Justice Court judges are both county and municipal judges. About 25 percent of Justice Court judges are full time, while the rest are part-time judges with smaller caseloads.

Justice Courts serve a unique niche in the judicial system because they are community courts and can effectively handle local cases because of a familiarity with the community.

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*The mission of Utah's Justice Courts is "to improve the quality of life in our communities."*

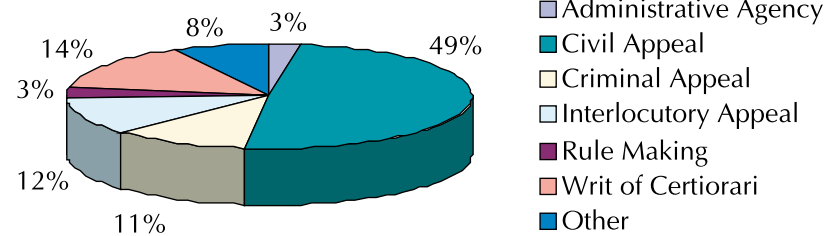
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## FISCAL YEAR 2003 CASELOAD

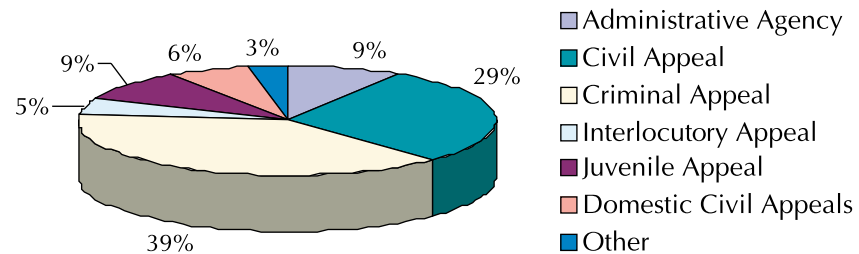
### FY2003 SUPREME COURT CASELOAD

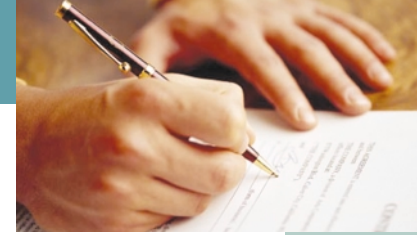
|                       |            |
|-----------------------|------------|
| Administrative Agency | 15         |
| Civil Appeal          | 294        |
| Criminal Appeal       | 66         |
| Interlocutory Appeal  | 70         |
| Rule Making           | 20         |
| Writ of Certiorari    | 84         |
| Other                 | 47         |
| <b>Total</b>          | <b>596</b> |



### FY2003 COURT OF APPEALS CASELOAD

|                        |            |
|------------------------|------------|
| Administrative Agency  | 74         |
| Civil Appeal           | 240        |
| Criminal Appeal        | 321        |
| Interlocutory Appeal   | 42         |
| Juvenile Appeal        | 74         |
| Domestic Civil Appeals | 53         |
| Other                  | 26         |
| <b>Total</b>           | <b>830</b> |

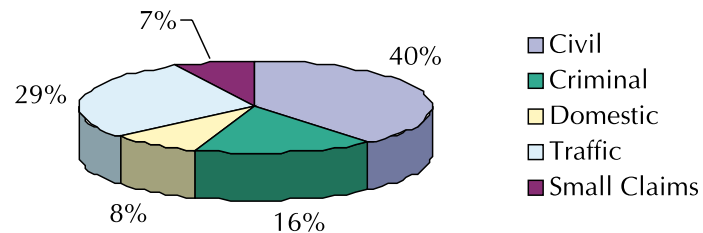




## FISCAL YEAR 2003 CASELOAD

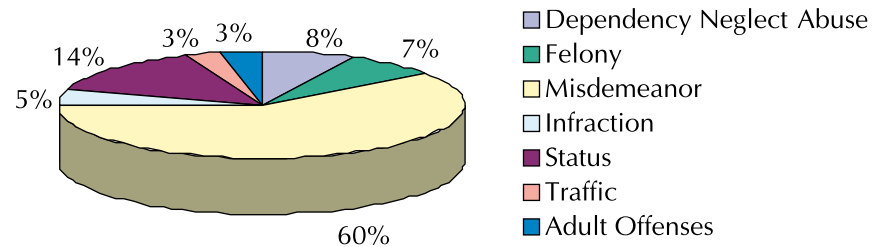
### FY2003 DISTRICT COURTS CASELOAD

|              |                |
|--------------|----------------|
| Civil        | 103,147        |
| Criminal     | 43,306         |
| Domestic     | 21,469         |
| Traffic      | 76,533         |
| Small Claims | 19,574         |
| Other        | 159            |
| <b>Total</b> | <b>264,188</b> |



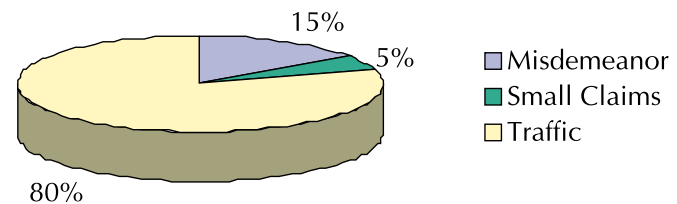
### FY2003 JUVENILE COURTS CASELOAD

|                              |               |
|------------------------------|---------------|
| Dependency/<br>Neglect Abuse | 3,621         |
| Felony                       | 3,525         |
| Misdemeanor                  | 28,558        |
| Infraction                   | 2,201         |
| Status                       | 6,888         |
| Traffic                      | 1,319         |
| Adult Offenses               | 1,614         |
| <b>Total</b>                 | <b>47,726</b> |



### FY2003 JUSTICE COURTS CASELOAD

|              |                |
|--------------|----------------|
| Misdemeanor  | 82,234         |
| Small Claims | 26,415         |
| Traffic      | 430,808        |
| <b>Total</b> | <b>539,457</b> |



## AWARDS AND HONORS

**Blaine Austin**, former Chief Probation Officer, First District Juvenile Court, *Restorative Justice Award*, (presented posthumously)

**Daniel J. Becker**, State Court Administrator, Administrative Office of the Courts, *President-elect*, Conference of State Court Administrators

**Kristin Brewer**, Director of the Office of the Guardian Ad Litem, *Child Advocate of the Year Award*, Utah Children

**Alyson Brown**, Clerk of Court, Second District at the Farmington District Courthouse, *2003 Meritorious Service Award*

**Frankie Clark**, Restorative Dialogue Volunteer, *Restorative Justice Award*

**Honorable Lynn W. Davis**, Fourth District Court, *2003 Annual Award*, The Society of Professional Journalists of Utah; *2003 Excellence in Public Service Award*, Utah Taxpayer's Association

**Honorable Dennis Fuchs**, Third District Court, *Contributions to Combating Substance Abuse*, The Utah Commission on Criminal and Juvenile Justice

**Honorable Kimberly Hornak**, Third District Juvenile Court, *Justice Track Award*, State Department of Substance Abuse and Mental Health

**Ranch S. Kimball**, private citizen and member of the Judicial Council Standing Committee on Facilities Planning, *2003 Amicus Curiae Award*, Utah State Courts

**Heather Mackenzie-Campbell**, Director of Internal Audit, Administrative Office of the Court, *2003 Judicial Administration Award*

**Tom Matthews**, Seventh District, *Restorative Justice Award*

**Honorable Sharon P. McCully**, Third District Court, *President-elect*, National Council of Juvenile and Family Court Judges

**Honorable K.L. McIlff**, Sixth District Court, *Amicus Curiae Award*, Board of Justice Court Judges

**Mike Pepper**, Third District Juvenile Court Probation Supervisor, *2003 Meritorious Service Award*

**Jamie Petrogeorge**, Third District Chief Deputy Court Clerk, *2003 Meritorious Service Award*

**Second District Juvenile Court**, *2003 Records Quality Award*

**Carolyn Smitherman**, Fifth District Clerk of Court, *2003 Meritorious Service Award*

**Honorable Leslie Spear-Pearce**, Lehi Justice Court Judge, *2003 Quality Justice Award*, Utah State Courts

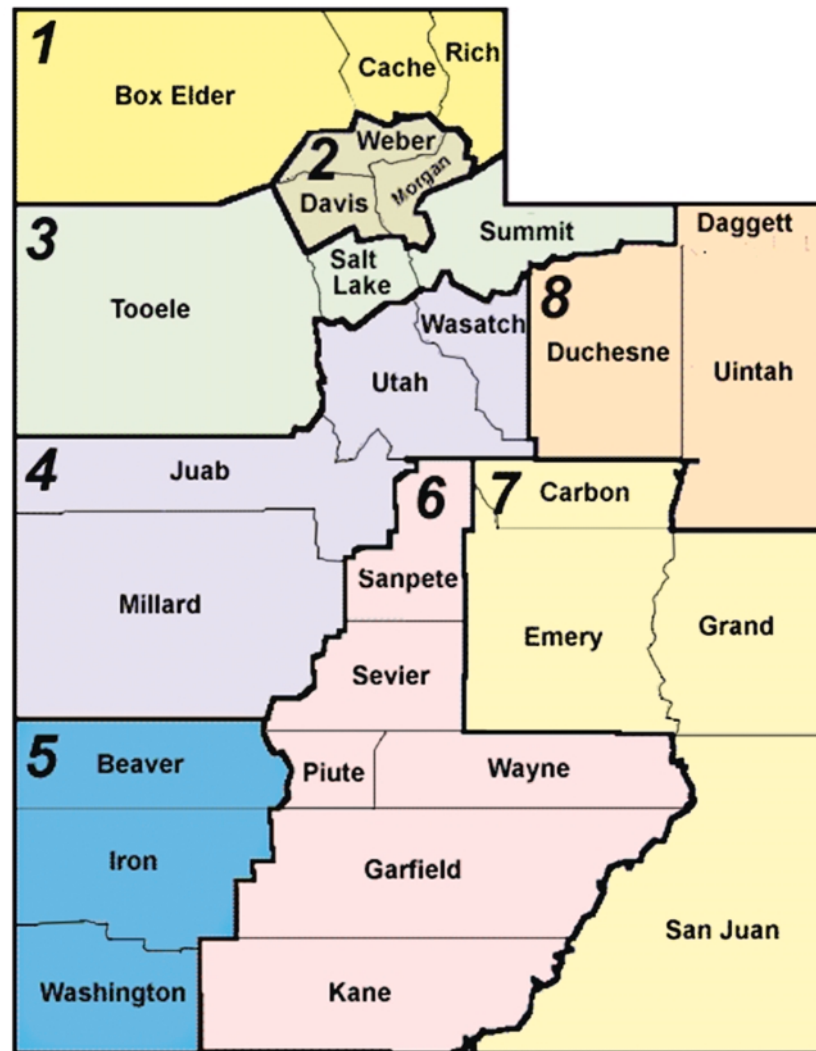
**Third District Office of the Guardian ad Litem**, *Domestic Violence Service Provider Award*, The Legal Aid Society of Salt Lake County

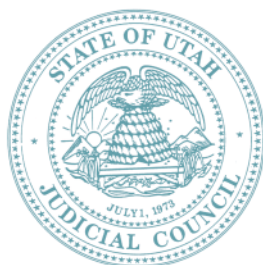
**Honorable Andrew Valdez**, Third District Juvenile Court, *Amicus Curiae Award*, Board of Justice Court Judges

**Renetta West**, Second District Court in Layton, *Layton City Single Parent Family of the Year Award*



## JUDICIAL DISTRICT LOCATOR MAP





Administrative Office of the Courts  
450 South State  
Salt Lake City, UT 84114-0241  
(801) 578-3800  
[www.utcourts.gov](http://www.utcourts.gov)